

Appl. No. 10/748,108  
Amdt. Dated September 14, 2005  
Reply to Office Action of June 14, 2005

Attorney Docket No. 81784.0298  
Customer No.: 26021

**Amendments to the Drawings:**

The attached sheets of drawings include changes to Figs. 1, 2, 3, 4(a), 4(b), 6, 7 and 9. The first sheet, which includes Fig. 1, replaces the original sheet including Fig. 1, and adds the legend "PRIOR ART" thereto. The second sheet, which includes Figs. 2 and 3, replaces the original sheet including Figs. 2 and 3, and adds the legend "PRIOR ART" to each of Figs. 2 and 3. The next sheet, which includes Figs. 4(a) and 4(b), replaces the original sheet including Figs. 4(a) and 4(b) and adds the legend "PRIOR ART" to each of Figs. 4(a) and 4(b). The next sheet, which includes Fig. 6, replaces the original sheet including Fig. 6, and adds the legend "PRIOR ART" thereto. The next sheet, which includes Fig. 7, replaces the original sheet including Fig. 7, and deletes the reference number "34" with arrow at the top thereof, and adds "(34)" after each occurrence of the numbers "36" and "38". The next sheet, which includes Fig. 9, replaces the original sheet including Fig. 9, and deletes the reference number "34" with arrow at the top thereof and adds "(34)" after each occurrence of the numbers "36" and "38".

Attachment: Replacement Sheets

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### **REMARKS/ARGUMENTS**

Claims 1-4 were pending in the application. By this amendment, claims 1 and 3 are being amended to incorporate the limitations of claims 2 and 4 therein respectively, with claims 2 and 4 being cancelled in view thereof. Claims 1 and 3 remain in the application. No new matter is involved.

This amendment is being filed pursuant to recent telephone discussions between the undersigned and Examiner Ellis. The undersigned faxed a draft amendment similar to this amendment for consideration by the Examiner. The Examiner responded that the draft amendment appears to resolve the outstanding issues except for claims 1 and 3 which are regarded by the Examiner as unpatentable over the admitted prior art. In response, Applicant is adding the limitations of claim 2 to claim 1 and claim 4 to claim 3 to make claims 1 and 3 allowable. Claims 2 and 4 are being cancelled.

The undersigned wishes to express his gratitude to the Examiner for review of the draft amendment and the discussions of the case which followed.

On pages 2 and 3 of the Office Action, the drawings are objected to for several reasons. The connection line that intersects the power source potential layer above the power source potential layer, as set forth in claim 1, is said not to be shown. The lower conductive layers and the two upper conductive layers, as set forth in claim 3, are said not to be shown. Figs. 5 and 7 fail to particularly point out the difference between the connection line (34) and the power source potential layer (32). Lastly, Figs. 1-4 and 6 should bear the legend "PRIOR ART". In response, Applicant is amending the drawings in order to obviate the objections thereto set forth in the Office Action.

With respect to the connection line, it should be clear that the conductive layers 36 and 38 correspond to the connection line 34. However, for clarification, Figs. 7 and 9 are being amended to set forth "36 (34)" in each instance where "36" appears and to set forth "38 (34)" in each instance where "38" appears. In addition, claim 3 is being amended to include the recitation "the upper conductive layers being second conductive layers" and "lower conductive layers being first conductive layers". As such, it should be clear that the upper and lower conductive layers correspond to the second and first conductive layers described in the specification, respectively. Therefore, the objection to the drawings with respect to "the group of lower conductive layers" and "two upper conductive layers" in claim 3 have been removed by this clarifying amendment.

Figs. 1-4 and 6 are being amended to add the legend "PRIOR ART" thereto.

On page 3 of the Office Action, the disclosure is objected to because in line 26 of page 2, the amplifier appears to be identified as "20a" rather than "28a". The original specification identifies the amplifier as "28a" at this location. However, it is suspected that the copy filed in the Patent and Trademark Office was not particularly clear at this location, and when scanned, printed as "20a". In any event, to clarify the matter, Applicant is submitting an amended paragraph in which the amplifier is clearly identified as "28a" in line 26 of page 2.

The disclosure is further objected to, on page 3 of the Office Action, because line 27 of page 3 through line 2 of page 4 of the specification is said to fail to clearly describe how a power source potential layer is belt-like. However, from the further description "(a layer having a nature similar to that of a conductor formed by epitaxial growing (formed on a substrate "on lines 1 and 2 of page 4, it should be clear that the "belt-like power source potential" is a planar conductive layer formed on a substrate. This explanation similarly applies to the "belt-like power source

potential layer” of claims 1 and 2. However, the “belt-like power source potential layer” is different from a “belt-like scaler” which is described at lines 24-26 of page 1 of the specification. Accordingly, the manner in which the power source potential layer is “belt-like” should be clear from the description in its present form.

At the bottom of page 3 of the Office Action, it is said that the specification fails to clearly support the upper and lower conductive layers, as recited in claim 3. The question is raised as to whether the upper and lower conductive layers are the same as the first and second conduction layers of the connection line.

Furthermore, and beginning on page 4 of the Office Action, the claims are rejected as indefinite on various grounds. Claim 3 is said to recite “two upper conductive layers in parallel to each other above the lower conductive layers where each upper conductive layer includes a first region that extends in the direction intersecting the extending direction of the lower conductive layers and a second region extending along the extending direction of the lower conductive layers”. This is said not to be clearly described. Claim 1 is said to be unclear because of the recitation “belt-like power source potential layer”, and lines 12 and 13 are said to be unclear in terms of how a connection line intersects the power source potential layer above the power source potential layer.

In response, Applicant is amending claim 3 in order to recite the upper conductive layers as being second conductive layers and the lower conductive layers as being first conductive layers. As such, it should be clear that the upper and lower conductive layers correspond to the second and first conductive layers described in the specification, respectively. This should also cure the basis for objections to the drawings with respect to “group of lower conductive layers” and “two upper conductive layers”. It should also remove the basis for the objection to claim 3 because of the recitation “two upper conductive layers in parallel to each

other above the lower conductive layers where each upper conductive layer includes a first region that extends in the direction intersecting the extending direction of the lower conductive layers and a second region extending along the extending direction of the lower conductive layers". As a result of the amendment of claim 3 as described above, it should be clear that the upper and lower conductive layers correspond to the second and first conductive layers described in the specification, respectively. Moreover, the plan views of Figs. 7 and 9 clearly show that the upper conductive layers are parallel to one another, and that each upper conductive layer includes a first region that extends in the direction intersecting the extending direction of the lower conductive layers, and a second region that bends perpendicularly from the first region and extends along the extending direction of the lower conductive layers.

In response to the rejection of claim 1 based on a lack of clarity in lines 9 and 10 concerning the potential of the power source potential layer, claim 1 is being amended to recite "electrical potential of the power source potential layer being set to power source potential level". As such, it should be clear that the potential relates to an electrical potential level.

On page 6 of the Office Action, claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 2004/014423 of Nishi. This is the publication of this application and the basis for the rejection is prior art admitted by Applicant in the application. Claim 2 is indicated on page 7 of the Office Action as being allowable if re-written to overcome the objection on formal grounds. The basis for objection has been eliminated as discussed above, and the limitations of claim 2 are being added to claim 1 and claim 2 is being cancelled in view thereof. Therefore, claim 1 should now be allowable. While claim 3 is not rejected on prior art in the Office Action, the Examiner indicated during discussions with the undersigned that such claim is also

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unpatentable over the admitted prior art without the limitations of claim 4 being added thereto. Therefore, claim 4 is being cancelled and the limitations thereof are being added to claim 3 to make claim 3 allowable.

In conclusion, claims 1 and 3 should now be allowable for the reasons discussed above. Therefore, reconsideration and allowance are respectfully requested.

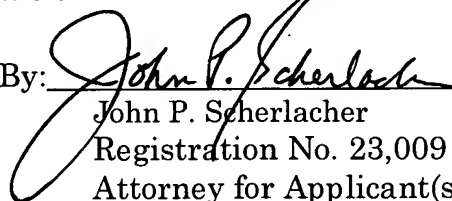
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

Date: September 14, 2005

By:

  
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